

REMARKS

The present claims were rejected under the judicially created doctrine of obviousness-type double patenting over the claims of US 7,452,606. While applicants do not acquiesce to the propriety of the rejection and take the position that the present claims are indeed patentably distinct from those of the '606 patent, filed herewith is a terminal disclaimer to remove the rejection.

Applicant respectfully submits that the present application is now in condition for allowance. Accordingly, Examiner O'Hern is requested to issue a Notice of Allowance for all pending claims.


Should Examiner O'Hern deem that any further action by the Applicant would be desirable for placing this application in even better condition for issue, he is requested to telephone Applicant's undersigned representative at the number listed below.

Applicant does not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

Date

12/10/09


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